

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division

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|--------------------------------|---|------------------------------|
| JENNIFER BERRY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 5:21CV00001 |
| |) | |
| TOWN OF FRONT ROYAL, VIRGINIA, |) | |
| |) | |
| |) | |
| Defendant. |) | |

PLAINTIFF’S MOTION TO COMPEL TESTIMONY AND DOCUMENTS
CONCERNING ADVICE AND INVOLVEMENT OF COUNSEL

The Plaintiff, Jennifer Berry, by counsel, moves the Court pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure for an order compelling certain deponents to respond to questions regarding advice and involvement of Julia Judkins, outside counsel for the Town who was retained during the Town’s investigation of Plaintiff’s complaints of harassment and retaliation, and in the decision to terminate Plaintiff’s employment, and to produce documents in connection with such communications with the Town, as more particularly described and for the reasons set forth in the Memorandum which will be submitted along with a Motion to file under seal in accordance with Rule 9 of the Local Rules of the United States District Court for the Western District of Virginia.

WHEREFORE, Ms. Berry respectfully requests that the Court grant her Motion and enter an order compelling the presence of the Town of Front Royal, through its designee Matthew Tederick, and LeTasha Thompson, for depositions, at the Town’s expense to answer questions regarding the communications between them and Julia

Judkins in connection with the investigation of Ms. Berry's complaints of harassment and retaliation, the involvement of Ms. Judkins in the retaliatory adverse actions against Ms. Berry, and the termination of Ms. Berry's employment, and to compel the production of any file or files maintained by Ms. Judkins in relation to such matters, and that the Court grant such other and further relief as to the Court seems just.

JENNIFER BERRY

By: /s/Timothy E. Cupp

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Counsel for Plaintiff

CERTIFICATE

I hereby certify that on November 5, 2021, I filed the foregoing Motion to Compel through the Court's CM/ECF/PACER system which will send a copy to counsel of record for the defendant as follows:

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